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Europäisches  
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Branch at  
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Search  
division

Office européen  
des brevets

Departement à  
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Division de la  
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HOFFMANN EITLE  
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EINGEGANGEN	
04. Aug. 2004	
HOFFMANN EITLE, MÜNCHEN PATENT UND RECHTSANWÄLTE	

Datum/Date
03.08.04

Zeichen/Ref./Ref.	Anmeldung Nr./Application No./Demande n°./Patent Nr./Patent No./Brevet n°.
104 484 a/scho	04004688.0-2221-
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire Aruze Corporation	

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

abstract

title

- The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: 10

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	US 2003/087690 A1 (LOOSE TIMOTHY C ET AL) 8 May 2003 (2003-05-08) * abstract * * figures 1,9a-9c,11 * * paragraph '0004! * * paragraph '0012! - paragraph '0013! * * paragraph '0016! - paragraph '0018! * * paragraph '0020! - paragraph '0026! * -----	1-5	G07F17/32 G07F17/34
X	EP 1 260 928 A (WMS GAMING INC) 27 November 2002 (2002-11-27) * abstract * * figures 1,9a-9c,11 * * paragraph '0004! * * paragraph '0007! - paragraph '0008! * * paragraph '0011! - paragraph '0012! * * paragraph '0015! - paragraph '0021! * -----	1-5	
A	WO 03/039699 A (MEZEN BRETT ; LYONS MARTIN (AU); ARISTOCRAT TECHNOLOGIES AU (AU); MUIR) 15 May 2003 (2003-05-15) * abstract * * page 1, line 28 - page 4, line 16 * -----	1-5	TECHNICAL FIELDS SEARCHED (Int.Cl.7)  G07F
A	US 2002/077172 A1 (GOTO NOBUHIRO ET AL) 20 June 2002 (2002-06-20) * abstract * * paragraph '0013! - paragraph '0065! * -----	1-5	
The present search report has been drawn up for all claims			
1	Place of search  Munich	Date of completion of the search  8 July 2004	Examiner  Peller, I
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			
T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ..... & : member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 00 4688

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

08-07-2004

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
US 2003087690	A1	08-05-2003	US	2002175466 A1		28-11-2002
			AU	4239502 A		28-11-2002
			CA	2385730 A1		22-11-2002
			EP	1260928 A2		27-11-2002
			ZA	200203821 A		14-11-2003
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EP 1260928	A	27-11-2002	US	2002175466 A1		28-11-2002
			AU	4239502 A		28-11-2002
			CA	2385730 A1		22-11-2002
			EP	1260928 A2		27-11-2002
			US	2003087690 A1		08-05-2003
			ZA	200203821 A		14-11-2003
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WO 03039699	A	15-05-2003	WO	03039699 A1		15-05-2003
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US 2002077172	A1	20-06-2002	JP	2002182150 A		26-06-2002
			TW	528611 B		21-04-2003
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This application is covered by the extended European search report pilot project at present running within the European Patent Office, applied to all European patent applications filed as first filing and searched on or after 01.07.03. Under this project the EPO issues together with the search report an opinion on whether the application and the invention to which it relates meet the requirements of the EPC. This non-binding opinion is issued free of charge as a service. This opinion may be used as the basis for an informed decision as to whether it is desired to pursue the application further or not.

For further details of this pilot project, the applicant's attention is directed to the Official Journal edition 5/2003. If any further immediate questions or comments arise the EPO Customer Services: +31-70-340 4500 or +49-89-2399 2828 can be contacted.

**The attached opinion reveals that the application or the invention to which it relates appear not to meet the requirements of the Convention (see comments on enclosed Form 2906).**

If the applicant wishes to continue with this application the examination fee must be paid. Where appropriate amendments can be filed to address the objections raised in the opinion, thus shortening the overall procedure. If no amendments are filed, the opinion will be re-issued as the first official communication under Article 96(2) and Rule 51(2) EPC.

If the examination fee has already been paid and the right to the communication under Article 96(1) EPC has been waived for this application, the first official communication under Article 96(2) and Rule 51(2) EPC will be issued promptly.



The examination is being carried out on the **following application documents**:

**Description, Pages**

1-51 as originally filed

**Claims, Numbers**

1-5 as originally filed

**Drawings, Sheets**

1/9-9/9 as originally filed

The following document (D) is referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1 = US-A-20030087690

- 1 The application does not meet the requirements of Article 84 EPC, because claims 1-5 are not clear.

Some of the features in the apparatus claims 1-5 (relating to the display and its controller) relate to a method of using the apparatus rather than clearly defining the apparatus in terms of its technical features. The intended limitations are therefore not clear from this claim, contrary to the requirements of Article 84 EPC.

- 2 The present application does not meet the requirements of Article 52(1) EPC, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 56 EPC.

Document D1, which is considered to represent the closest prior art discloses according to the features of claim 1, a gaming machine (Title: "Gaming Machine ...") comprising: game result display means for displaying a result concerning with a game ([0004]: "The video image may be interactive with the reels and include such graphics as payout values, a pay table, ... bonus game features"); beneficial state generating means for generating a beneficial state for a player when a specific game result is displayed on the game result display means ([0004]: "bonus game features" or [0016]: "the slot machine 10 is operable to play a basic slot game with the tree



mechanical spinning reels 12a, 12b, 12c and a bonus game triggered by a start ... bonus outcome in the basic game"); wherein the game result display means includes first display means ([0004]: "the reels") and second display means ([0004]: "The video image") arranged at a more front side than a display area of the first display means when seen from a front side of the gaming machine ([0013]: "a flat panel transmissive video display positioned in front of the reels.") and the second display means has a symbol display area capable of transmittably displaying a display result of the first display means there through ([0024]: "to permit clear viewing of the mechanical reels 12a, 12b, 12c underlying the video image 18, the portion of the video image 18 directly overlying the reels is made more transparent"), and wherein display control means is provided ([0026]: "Also, the micro controller 30 ... accesses the video resources to be included in the video image 18 provided by the video display 14a"), the display control means controlling the second display means so as to move and display game information from a first to a second area (Fig. 9a, 9b, [0023]: "in response to a predetermined random or non-random event, the video image 18 may depict an animation in which a video indicator 29 is moved from a periphery of the display area (e.g., a corner of the display area away from the mechanical reels) to one or more of the symbols on the reels.").

The subject-matter of claim 1 differs from that disclosed in D1 in that the first display area includes the symbol display area, and that the second area does not include the symbol display area. It is regarded as within the design option of the person skilled in the art to determine the start and end position of a moving game information.

The subject-matter of claim 1 does therefore not involve an inventive step (Articles 52(1) and 56 EPC).

- 3 The additional features defined in dependent claims 2-5 do not add anything of inventive significance to the claim they are dependent on for the following reasons:
  - 3.1 The additional features of dependent claim 2 relate to the fact that the first display means has one or more symbol display parts capable of variable display, which is disclosed in D1 (see Fig. 1, Ref. 12a, 12b, 12c) and that the game information is moved substantially at the same time as the variable display in the symbol display parts is stopped and displayed. It is regarded as within the design option of the person skilled in the art to define the timing of the movement of the game information.



- 3.2 The additional feature of dependent claim 3 relates to the fact that the light transmittance rate of the symbol display part is changed and is disclosed in D1 ([0024]: "The slot machine is preferably designed to adjust the appearance of the video image 18 in terms of transparency, translucency, or opacity depending on the purpose of the video image 18").
- 3.3 The additional features of dependent claim 4 relate to the fact that a window frame display area is formed at a periphery of the symbol display area, and that the display mode of the window frame display area is changed when the game information is displayed in the first area. This is only a design option for a screen design (see the frame around the touch keys in D1, Fig. 9a, ref. 26, [0020]: "the video image may duplicate some or all of the aforementioned keys on the button panes as touch keys").
- 3.4 The additional features of claim 5 relates to the fact that the gaming machine further comprises: game start instruction means for instructing a start of the game ([0018]: "Spin Reels key") and internal winning combination determination means for determining an internal winning combination based on a game start instruction command from the game start instruction means ([0018]: "the reels may be set in motion by touching a "Spin Reels" key on the button panel ... The central processing unit uses a random number generator to select a game outcome"); wherein the display control means conducts displaying concerning with a specific winning combination as the game information when the internal winning combination determination means determines the specific winning combination as the internal winning combination ([0022]: "The video image 18 may depict the bonus game and any bonuses resulting therefrom") and are disclosed in D1.
- 4 It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 29(1) EPC. The applicant should also indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof.
- 4.1 Any independent claim should be drafted in the proper two-part "characterised" form recommended by Rule 29(1) EPC, having a preamble that correctly reflects the closest prior art, represented by document D1.



- 4.2 All the claims should include reference signs in parentheses where features shown in the drawings are referred to (Rule 29(7) EPC).
- 4.3 In order to meet the requirements of Rule 27(1)(b) EPC the relevant prior art, i.e. the document D1 noted above, should be acknowledged by reference and briefly discussed in the introductory part of the description, in such a way that the inventive merit of what is claimed can be readily understood.
- 4.4 The description should be adapted in accordance with the new claims to be filed (Rule 27(1)(c) EPC).
- 4.5 Special care should finally be taken to avoid giving rise to further objections by the inadvertent addition of subject-matter (Article 123(2) EPC)
- 4.6 In this respect it is to be noted that the indication, in the letter of reply, of the parts of the originally filed application serving as basis for subject-matter newly introduced into the claims by the applicant would be useful since it would greatly facilitate the subsequent substantive examination of the claims with respect to Article 123(2) EPC.
- 4.7 Finally, amendments to the application should be filed by way of replacement pages. If handwritten amendments are submitted, they should be clearly legible for the printer.